

it continues the practice of an administration expanding their role in the lives of Americans and its businesses.

We need an appropriations process different from just a continuing resolution. We need to have the opportunity for agency heads to know that the appropriations process is going to matter to them. It causes them to have conversations and discussions with us, gives us the ability to tell an executive branch official: This doesn't work in my State. This is very damaging. This rule or regulation you are proposing is harmful. Can you go back and do it in a different way? Do you understand what this means in this circumstance?

Again, our leverage to have those conversations is often whether or not we are going to appropriate money and what that level of spending will be for that agency.

The other aspect of this is that in the absence of that dialogue and change of heart by that agency head, we then have the ability to say as a Congress that no money can be spent to implement this idea, this regulation, this rule.

While we focused attention—rightfully so—on the Congressional Review Act and its ability to limit and in this case repeal and reject regulations, the long-term ability to rein in any administration that exceeds its authority and operates in a way that develops regulations that lack common sense or an appreciation of how they might affect everyday Americans is through the appropriations process, and a continuing resolution will once again take away the constitutionally mandated, the constitutional responsibility we have in doing our jobs to protect the freedoms and liberties of the American people.

We have had a lot of conversations about what we are going to try to accomplish. One of the things that I want to make sure is on the agenda is, when the time comes, which is now, the conversation is—I hope the conversation is not “Well, we have run out of time. We are just going to do another continuing resolution and fund the Federal Government for the next few months at the same level as we did last year.” We need to exert our authorities to make sure the American people are out of harm's way from what government can do. The Constitution was created to protect Americans from an ever-expansive government, and it only works when Congress works.

The time is short. We hear that the administration is going to offer supplementals or amended requests for additional spending, especially in the defense arena. We need to get our appropriations work completed so that they have an opportunity to supplement, to make suggestions to Congress about what that appropriations bill should finally look like. We are close to failing in our responsibility to do that. Congress needs to do its work.

All 100 Members of the U.S. Senate can have their opportunity to have

input in how money is spent. We can defend and protect the taxpayer; we can defend and protect the consumer; we can defend and protect the job creator; we can defend and protect the employee—but not if we don't do our work, not if we don't do appropriations bills and we rely once again on this technique of shrugging our shoulders, throwing our hands in the air, and saying that the best we can do is tell an agency that their spending authorities will be the same next year as they were last year.

We need to do our work. We need attention. The appropriations process should begin. And I ask my colleagues to give serious thought to helping accomplish that.

I yield the floor.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2 p.m.

Thereupon, the Senate, at 12:40 p.m., recessed until 2 p.m. and reassembled when called to order by the Presiding Officer (Mr. COTTON).

EXECUTIVE CALENDAR—Continued

The PRESIDING OFFICER. The majority whip.

Mr. CORNYN. Mr. President, earlier today the Senate moved forward with the President's nominee to head up the Office of Management and Budget, Congressman MULVANEY. Congressman MULVANEY spent years representing the people of South Carolina and has been thoroughly engaged on budget issues during his time in the House of Representatives.

He has highlighted the fact that the Federal Government is on an unsustainable fiscal path if nothing changes in Washington, DC, and that it is reckless to keep running up the Nation's credit card with trillions in more debt and unfunded liabilities, not to mention the immorality of passing down to the next generation the obligation of actually paying that money back.

So Congressman MULVANEY is actually, I think, a very good choice for this critical role, and I look forward to voting on his confirmation soon.

TRADE

Mr. President, I want to weigh in briefly on the issue of trade. During the Presidential campaign and since then, there has been a lot of talk about international trade. It has led to a healthy debate about lopsided trade deals—whether bilateral trade deals or multinational trade deals actually are better—and how best to leverage trade to help American workers and consumers.

In my State of Texas, there is no question trade delivers in two ways. One, it helps Texas families stretch their paychecks by providing greater access to more affordable goods. That

is a good thing. And two, it helps our farmers, our ranchers, our small businesses, and other manufacturers access more customers around the world.

Texas continues to lead the Nation as the top exporting State, and it has done so for about a decade now. It is one reason our economy has done better than the national economy in recent years. And it is estimated that Texas trade supports more than 1 million jobs currently.

But it is important to understand that our economic partnership with Mexico has been a key part of that success, and that is thanks, in part, to the North American Free Trade Agreement, or NAFTA, the trade deal between the United States, Mexico, and Canada.

Our southern neighbor is our largest export market, with more than one-third of all Texas goods—including ag products and manufactured goods, to the tune of close to \$92 billion a year—heading south of our border because of NAFTA and trade. Well, this may not be universally true around the country, but suffice it to say that in Texas, NAFTA has been a big success for our economy. And because Texas has been leading the Nation in terms of economic growth and job creation, I think it is fair to say that it has helped the Nation as a whole not recede into a recession with the anemic growth rates that we have seen since 2008.

It is not just that my State benefits from the deal. The agriculture industry across the country benefits greatly. Mexico is one of the biggest buyers of crops grown in the United States, like corn. In fact, Mexico is the third biggest export market for American agriculture.

NAFTA is not just critical to my State, but for those far away from the southern border, as well, like Ohio and Michigan, which export a majority of their goods to NAFTA partners. I think it is important to acknowledge the fact that roughly 6 million jobs in the United States depend on bilateral trade with Mexico.

But here is the truth: The world looks a lot different today than it did 20 years ago when NAFTA was negotiated, and there is ample opportunity to work with our partners to craft a better deal for the United States. We can update it to be even more constructive and an even bigger driver of the U.S. economy.

Trade is essential to our economy, and I believe the administration agrees with me on that. In my conversations with Mr. Ross, who will head up the Department of Commerce, and others—the trade negotiator and the like—they all tell me that this administration is pro-trade, although they are skeptical of large multinational trade deals like the Trans-Pacific Partnership.

We have also recently heard the President himself talk about the importance of our relationships with countries like Canada and Japan. During the visits of the Prime Ministers of

each of those countries in the last week, with both heads of State, the administration continues to stress the importance of robust trading partnerships. And the President has made it clear that he supports those.

I believe that good trade deals help everyone, so I want to be clear that the United States is not retreating from the global economy, as if we even could. With more than 95 percent of the world's consumers outside of our borders, our citizens rely too much on free trade and fair trade to turn inward and retreat.

Texas certainly proves that trade deals can help everyone from manufacturers to farmers, to small businesses, all of whom find more markets for the goods they make or grow. That, in turn, creates more jobs and provides greater access to more goods for consumers. And it is a good example for the broader U.S. economy as well.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. REED. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

Mr. REED. Mr. President, I rise in strong opposition to the nomination of Congressman MICK MULVANEY to be the Director of the Office of Management and Budget. Based on his appearance before the Senate Budget and Homeland Security Governmental Affairs Committees, he appears to be a smart and articulate individual, but after examining his record and his testimony, I believe he lacks the fundamental judgment to serve in this important role.

Mr. MULVANEY's tenure as a Member of Congress has been marked by symbolic stands and stunts that have been most successful in generating bipartisan opposition rather than support. Until now, it has mattered little whether his proposals have been motivated by firmly held principles or other motives. We have just been fortunate that few of Mr. MULVANEY's ideas have been made into law. However, with an appointment to a position of real authority at OMB, Mr. MULVANEY will have great power to put his ideas into practice. For that reason, it is worth reflecting on the positions he has taken.

At times of national fiscal and economic turmoil, Congressman MULVANEY could consistently be found among those stoking the flames of pandemonium in order to advance a partisan or ideological point. Indeed, he was among those Republican Members of Congress who cheered efforts to force the country to default on our financial obligations in 2011, dismissing the domestic and global alarm over Republican brinkmanship as "fear mongering" and as promoting a "fabricated crisis."

In 2013, he voted to support the Republican shutdown of the Federal Government, which ultimately cost American taxpayers \$2 billion in back wages for Federal workers who were locked out of their jobs. In addition to this and other fiscal waste, the 16-day shutdown hurt the economy. Moody's estimated that it "cut real GDP by \$20 billion, shaving half a percentage point off growth in the fourth quarter [of 2013]."

In 2015, Mr. MULVANEY was part of another Republican shutdown effort. This time it was to shutter the Department of Homeland Security to protest President Obama's immigration policy. Thankfully, House Republicans relented before the shutdown took effect. Otherwise, the closure would have caused about 30,000 furloughs and about 200,000 other people, including Coast Guard personnel, TSA, ICE, Border Patrol and Customs officers, to report to work, most of them without the promise of a paycheck.

When Americans have suffered natural disasters, Mr. MULVANEY has shown himself among those who are the least sympathetic about providing Federal assistance, insisting, for example, that emergency aid for the victims of Hurricane Sandy should be offset. He has at least been consistent in this regard, since he voted against similar aid to his home State of South Carolina. Of course, his opposition in that instance was mainly symbolic because it was a foregone conclusion that the bill would pass. But this should give every American pause. Mr. MULVANEY's record of supporting brinkmanship and his responses to written questions show that his first instinct will be to use any one-time emergency as an opportunity to force lasting budgetary cuts.

I am also concerned about Mr. MULVANEY's intentions with regard to the elimination of the sequester-level budget caps. In 2013, with sequester cuts on the horizon, Mr. MULVANEY ruled out revenue increases or scaling back the sequester. He said: "We want to keep the sequester in place and take the cuts we can get."

As the nominee to OMB director, Mr. MULVANEY now believes, like President Trump, that the sequester caps should be lifted for defense, but he has made no allowance for nondefense discretionary programs and agencies, including the FBI and the Department of Homeland Security. Mr. MULVANEY has thus far failed to grasp that there is simply no way to secure support for sequester relief without addressing both the defense and nondefense sides of the ledger. Moreover, he has not recognized that it is repugnant to many to suggest that one side of the budget can be cannibalized to fund the other side. The best way to fund sequester relief is through the proven combination of additional revenue and reasonable cuts. It has worked before, and we should look to that solution again.

We should also reject efforts to use Overseas Contingency Operations ac-

counts, or OCO funding, to fill the gap when it comes to defense spending. It is not a legitimate tool to fix the sequester. Despite my many disagreements with Mr. MULVANEY, this is one point where we do appear to see roughly eye to eye in terms of using the OCO for those overseas contingencies they were designed to fund.

Where we disagree most vehemently is on the matter of core programs that help Americans lift themselves up so they can participate fully in our economy and society. Although he has recently changed his position, Mr. MULVANEY, as a State legislator, voted for legislation that questioned the constitutionality of Medicaid and Social Security, and today he still questions the constitutionality of Federal involvement in education. This is more than a philosophical stand. His position will color how the administration invests in schools and students over the next 4 years. I am especially disturbed that Mr. MULVANEY is not even willing to commit to protecting funding for the Pell Grant Program and to reducing college debt, a burden faced by students and their families all across this country.

I have also been disturbed by Mr. MULVANEY's cavalier position about benefit cuts to Social Security and Medicare, by such measures as increasing the retirement age. Let's be clear. When you force a person to wait 2 or 3 more years to begin collecting the full benefits they have earned, it is a cut. If poor health or lack of job prospects forces a person to begin collecting benefits before reaching the normal retirement age, he or she will see a significant reduction in monthly benefits.

These cuts fall heaviest on the most vulnerable—low-income workers and workers in the most physically demanding jobs, those who simply cannot continue to work for another few years. We can make changes to sustain these programs without the deep cuts to benefits that Mr. MULVANEY would promote.

In this one area, I would hope the President could prevail over his staff. Many times during the campaign, President Trump promised to protect Social Security and Medicare. In fact, last March he said: "It's my absolute intention to leave Social Security the way it is. Not increase the age and to leave it as it is."

It remains to be seen how sincere the President is on this issue. Last month, he was effectively rebuffed by 49 Republicans who voted successfully to kill Senator SANDERS' amendment to create a point of order that would prevent the Senate from breaking President Trump's promise that "there will be no cuts to Social Security, Medicare, and Medicaid."

Unfortunately, the President said nothing about this vote, which should lead all Americans to ask how committed he is to his promise. His choice of Mr. MULVANEY also leaves me concerned that he is not sincere about this

promise, since Mr. MULVANEY seems clearly intent on making cuts to these vital programs.

Mr. MULVANEY has also proven himself unsympathetic to the challenges facing working men and women in this country. He has sponsored legislation to bar the Federal Government from requiring project labor agreements. He has voted to repeal Davis-Bacon prevailing wage requirements, and he has cosponsored legislation to undermine the ability of workers to collectively bargain.

Moreover, Mr. MULVANEY failed to pay more than \$15,000 in unemployment and FICA taxes for a household employee between 2000 and 2004, only making good on that obligation during his nomination process. Even if this could be characterized as an oversight, it is worth noting that Mr. MULVANEY has previously proposed legislation to bar tax delinquents from serving in elected office in South Carolina and to authorize supervisors of Federal employees to take punitive action against workers who have failed to pay taxes.

One wonders how Mr. MULVANEY would feel about the fitness of a Democratic nominee with a similar challenge.

Finally, let me say a few words about Mr. MULVANEY's laissez-faire approach to regulation, particular the oversight of Wall Street. I believe strongly that the lack of effective regulation, the lack of oversight, and the lack of appropriations for the financial regulatory agencies contributed heavily to the great recession, which is why I worked so hard to support the adoption of the Dodd-Frank Wall Street Reform and Consumer Protection Act, including the creation of the Consumer Financial Protection Bureau (CFPB).

Mr. MULVANEY, not surprisingly, takes a different view. As a member of the Financial Services Committee in the House, he said: "I don't like that the Consumer Financial Protection Bureau exists." The CFPB is a consumer-focused agency that has brought nearly \$12 billion in refunds and restitution to consumers for Wall Street's abuses. This includes more than \$120 million that have been returned to our military families through the efforts of the Bureau's Office of Servicemember Affairs, which I worked with Senator Scott Brown of Massachusetts to establish.

Because of the Dodd-Frank Wall Street Reform and Consumer Protection Act, working Americans have an advocate in the consumer finance marketplace that is laser-focused on protecting them. Mr. MULVANEY would prefer to transform this agency into a paper tiger that is subject to partisan political pressure and influence from the various industries it is attempting to police. We should not allow him the chance to do that from a perch at OMB.

The country has been fortunate that House Republican leadership, with good reason, in my view, did not reward Mr. MULVANEY with a position of

authority from which he could exercise real control. Unfortunately, the promotion that President Trump has offered would give him great power—power that will ultimately, I believe, be destructive in his hands. As a result, I urge my colleagues to oppose this nomination.

I yield the floor.

The PRESIDING OFFICER. The Senator from Connecticut.

Mr. BLUMENTHAL. Mr. President, I am honored to follow my distinguished colleague from Rhode Island who has been such a champion for working people and economic progress in manufacturing and economic fairness so that our country as a whole can advance together.

I am proud to be a Senator who fights to preserve, protect, and strengthen the safety net for all Americans, as my colleague from Rhode Island does, and many of us here do. So I come to the floor to speak on Congressman MICK MULVANEY, with reluctance and sadness, because he is out of the mainstream and, really, an adversary of programs that assure that safety net and basic fairness that is at the core of our great democracy and our economic system.

I oppose his nomination to serve as Director of the Office of Management and Budget, hardly the best known of agencies and not necessarily the most glamorous or glitzy but among the most important. His position is among the most consequential because he serves as an economic adviser, as well as an allocator of funding throughout the Federal Government and a leader on important social programs.

He has proved strongly antithetical to those programs that have made America great: Medicare, Social Security, and other efforts, including the Affordable Care Act, which are essential to our future.

He has broad responsibilities for our Nation's budget. He also has important oversight responsibilities about Federal rulemaking—those unglamorous, sometimes invisible regulations and rules that affect real lives and livelihoods throughout this country. They establish rules of the road in industry. They establish access for people to Federal programs. They provide an essential means of achieving fairness in our democracy—that important process that agencies use to enact safeguards, for example, that keep our air and water clean and our workplaces safe.

Congressman MULVANEY's positions on these vital issues are out of step with American values, out of the mainstream of American popular opinion, and out of the area of acceptability in terms of basic public interest.

Our economic reality is characterized by one simple stark economic fact: Burdens are falling hardest on the people who can least afford them. I am not talking about people at the lowest rungs of income or wealth but middle-class Americans who work hard and

who have seen their incomes stagnant over 5 years, 10 years, 20 years. Stagnating incomes and stagnating futures destroy the American dream.

So the Federal Reserve, for example, has reported in 2014 that average incomes have remained flat or fallen for all but the most affluent 10 percent of American families. That is a staggering fact about our economic system and its ability to deliver for Americans generally. That is the context for this nomination. I consistently hear from my constituents in Connecticut that income has failed to keep pace with overall economic recovery. Even as Wall Street has risen, Americans see nothing but stagnant income, sometimes falling economic prospects. Things have gotten better, but good jobs are still out of reach for far too many.

Retirement for increasing numbers of baby boomers makes it all the more vital that we protect and strengthen our safety net. The safety net is not the sole answer to larger challenges that must be solved by robust economic growth. That has to be our priority—economic growth in Connecticut and around the country. But increased opportunity depends on growth for ourselves and for our children—my wife and my four children and our way of life.

In fact, President Trump himself seemed to recognize this economic fact, one of the few areas where we agree, because he pledged during the campaign to keep our Nation's safety net firmly, irrevocably intact—not to make any cuts to Social Security or Medicare. He pledged and promised.

Now, who is his nominee to be head of the OMB, that crucial agency with responsibility for Social Security, Medicare, and Medicaid? MICK MULVANEY has an affinity for draconian budget cuts and far-right positions that are completely out of step with this promise and pledge.

The President must have reversed himself or revoked his promise, because Congressman MULVANEY has spent his entire political career crusading against exactly these programs that keep millions of Americans out of poverty. Social Security is one of the great achievements of our American democracy. In fact, it is one of the greatest achievements the world has known because it has allowed this Nation to promise its people that they can avoid crushing poverty if they simply work hard and if they contribute to this program that is a form of insurance.

It is not a gift. It is not really an entitlement. It is an insurance program. It makes us a humane and decent nation. We care for people who have worked hard all of their lives and need to be protected so they need not depend on their children or their grandchildren.

Congressman MULVANEY has called Social Security a "Ponzi scheme." Tell that to the Social Security recipients

in Connecticut. Tell that to the working people of Connecticut. He is out of step with working people and middle-class people who know that Social Security does not contribute to the Federal budget deficit, and it is not the Ponzi scheme that Congressman MULVANEY mischaracterizes it as being.

It is fashionable on the far right to use that characterization, suggesting it will run out of money unless severe restrictions are put in place. He has championed those kinds of restrictions—means testing, for example, and raising the retirement age. Those proposals are a disservice to hard-working Americans who reach that retirement age having been promised that they would receive Social Security when they did or work hard to make Social Security work for them, without a means test, without anybody asking them to fill out forms or disclose their incomes and establish standards or tests that make them ineligible.

It is true that there are changes to these programs that may be necessary. In fact, I proposed a plan for enhancing Social Security, making it a stronger insurance program by raising the cap on the payment of taxes that are due and other kinds of reforms that will more properly allocate the burdens but not means-testing, not raising the retirement age, which are radical and draconian favorites of the far right. Lifting the payroll tax cap so the wealthiest Americans contribute their fair share, as I have proposed, will keep this program solvent for decades into the future.

The only reason to reject the commonsense changes I have proposed is a political aversion to raising taxes on anyone at any time, even the wealthiest individuals or the most powerful and profitable companies, which is the mantra of people who have climbed the ladder and want to raise it so that no one else has access to those top rungs. It makes no sense to me that we would ask great sacrifices of our senior citizens but do nothing about eliminating the loopholes that privilege some of the most affluent people and the largest and most profitable companies in the world.

We should not and must not use the Social Security trust fund as a means to pay down the debt or reduce the deficit or gamble with the hard-earned benefits 61 million Americans rely on during their retirement. Those 61 million Americans, who come from all of the States and all over the Nation, are represented in this Chamber, and they deserve better than MICK MULVANEY's far-right radical ideas that would restrict their Social Security. He fails to recognize this reality and would prevent Social Security from continuing to flourish and provide the stability so essential to this great Nation—already the greatest Nation in the history of the world because of programs like Social Security and Medicare.

Speaking of Medicare, Congressman MULVANEY's proposal for Medicare also

betrays the President's promise to leave Medicare intact. He has been vocal, absolutely frank about his support for tearing down Medicare, going as far as to say: "We have to end Medicare as we know it." Do we really have to end Medicare as we know it, tear it down, destroy it? That is what MICK MULVANEY says. That betrays President Trump's promise to keep Medicare intact.

MICK MULVANEY has also supported proposals to privatize this lifesaving healthcare program by turning it into a voucher system, which would effectively gut its promise of guaranteed health benefits. A "voucherized" Medicare would be devastating for our Nation's seniors. Many of them are already on fixed incomes. This plan would allot them a fixed amount of funds—fixed funds to purchase all of their health insurance, which would result in higher premiums and increased out-of-pocket costs. Connecticut seniors deserve better than MICK MULVANEY's efforts to restrict Medicare in such a disruptive and destructive way.

Congressman MULVANEY's actions and statements on Medicare point to a future budget director who has no intention of keeping the President's promise to protect this crucial health program. This country counts on its next budget director to prioritize facts and responsibilities and the public interest above political games; to rely on real facts, not alternate facts.

Our budget, our deficit, our national debt are, in fact, fact-bound and fact-based. The world relies on real facts when it looks at the American economy, and the people who work in that economy, whether they are young or old, veterans or civilians, depend on real economic growth. Yet Congressman MULVANEY's reckless approach to fiscal issues has jeopardized this country's stability, causing real danger for the sake of ideology. That approach in the Congress has led to uncertainty and unpredictability, which are the bane of small- and medium-size businesses, which are, in turn, the major job creators in our society and economy.

Congressman MULVANEY's extreme views already have negatively impacted the American economy. While in the House of Representatives, he led efforts to leverage the threat of a government shutdown as a tactic to push for specific demands, which included radical anti-choice policies, measures antithetical to women's healthcare and the right of privacy, including defunding Planned Parenthood.

As one of the most senior economic advisers to the President and the head of OMB, he would have immense responsibility to influence this administration and the President. His outright disregard for the harm caused by a government shutdown—a tactic that jolts and jeopardizes our economy and disrupts the lives of millions of Americans—should itself alone disqualify

him from this critical role within the Federal Government.

He also sought government shutdowns as well to block the implementation of the Affordable Care Act, which has helped so many people in Connecticut receive the coverage and care they need. I could spend a lot of time talking about the benefits people in Connecticut have received from the Affordable Care Act. Its future is key to the financial future of this country, but MICK MULVANEY has consistently advanced misconceptions and mistruths about the nature and functioning of this law.

Again, we can agree to disagree on policy, but misrepresenting the truth and relying on alternate facts is exactly what the budget director should not be doing. He is the one whom we rely on for real facts about our economy and our budget.

Even more worrying was Congressman MULVANEY's archaic approach to addressing the debt ceiling. In the face of all evidence, he flatly stated that he did not believe this country would default on its debt as a result of the failure to raise the debt ceiling. Economics 101: The debt ceiling, if it is not extended—that means a default.

Experts across the political spectrum agree that a breach of the debt ceiling, and consequently our Nation's full faith and credit, would be catastrophic. I am absolutely unable to vote for someone who fails to recognize that basic economic truth and takes this threat so lightly.

Finally, Congressman MULVANEY has demonstrated a near reflexive hostility to Federal agencies and the important work they do. As with so many of the President's nominees, unfortunately, he seems to be hostile to the very mission and purpose of the agency he is going to lead—whether it is the EPA or the Department of Labor or other agencies where nominees have taken stands that, in effect, say: Let's dismantle and destroy this agency. Yet they are the ones who are supposed to be leading and inspiring its efforts.

I believe that government could be more efficient and responsive. Waste ought to be eliminated. Fraud ought to be prosecuted. I am eager to work with my colleagues on good-faith proposals to achieve these goals.

Federal agencies remain vital to important public purposes that people cannot achieve on their own. They cannot clean our air and water on their own. They cannot ensure public safety through policing on their own. They cannot make sure our national defense is strong on their own. A whole myriad of functions depend on a functional Federal Government. Commonsense rules that prohibit excessive pollution or unsafe working conditions protect all of us.

As the head of OMB, which includes offices that oversee Federal funding, he has a responsibility to make sure that rules are enforced and that people are protected. Yet he has opposed the existence of the Export-Import Bank, an

institution that is critically important to so many of our job creators, big and small businesses in Connecticut and around the country.

He opposed emergency funding for the victims of Hurricane Sandy, despite the devastation caused by this terrible storm, which was unleashed in Connecticut and nearby States.

He has questioned the need for government-funded research, despite the myriad advances in science and medicine that have come from government laboratories and research institutions.

His record shows that he would be the wrong person for this job, harming our safety net and our fiscal stability. I oppose his nomination, and I urge my colleagues to do the same.

I yield the remainder of my postcloture debate time to Senator SCHUMER.

The PRESIDING OFFICER. The Senator has that right.

Mr. BLUMENTHAL. I yield the floor.

The PRESIDING OFFICER. The Senator from Delaware.

Mr. COONS. Mr. President, I yield my postcloture debate time to Senator SCHUMER.

The PRESIDING OFFICER. The Senator has that right.

Mr. COONS. With that, I yield the floor.

The PRESIDING OFFICER. The Senator from Arizona.

NOMINATION OF NEIL GORSUCH

Mr. FLAKE. Mr. President, as I did last week and as I will continue to do until he is confirmed, I rise to support the nomination of Judge Neil Gorsuch to serve on the Supreme Court. Judge Gorsuch is an accomplished, mainstream jurist. I look forward to helping make sure he receives an up-or-down vote here on the Senate floor.

After meeting with Judge Gorsuch and learning more about his judicial philosophy, I continue to be impressed by his humble respect for the law and by his commitment to service.

Before the Judiciary Committee begins our hearings, I want to highlight aspects of his jurisprudence that qualify him to serve on our Nation's highest Court and make him an ideal candidate to fill such a consequential position.

Earlier this month I spoke about his fitness to fill Justice Scalia's seat, as well as his respect for the separation of powers. Today I would like to focus on his approach to religious freedom.

I have always supported religious freedom as a universal principle. It doesn't matter if we are defending our own First Amendment right to the free exercise of religion here at home or standing up for the religious freedoms of people under repressive regimes abroad, our country has always valued the right of individuals to practice their faith as they please.

Just as religious freedom is part of our national character, it also provides insight into the character and judicial philosophy of a prospective justice. When I had the privilege of meeting

with Judge Gorsuch last week, I asked him about his thoughts on religious freedom. I was struck by his ability to plainly articulate his understanding of the law and the Constitution. He explained his religious liberty opinions by telling me that he simply went "where the law led him." His explanation was indicative of his fundamental approach to interpreting the law. Judge Gorsuch doesn't make the law; he follows the law. He reads the Constitution as the Framers understood it. He interprets laws the way they were written.

Lately, our colleagues on the other side of the aisle have been vocal about the importance of respecting our independent judiciary. I couldn't agree more. They have decried the perils of discriminating on the basis of religious belief. Well, they are in luck. The Supreme Court nominee before us would be a staunch defender of independent courts and religious freedom. All they have to do is help us confirm him.

I don't blame them for wanting to do their homework on a Supreme Court nominee. They should, as should we all. They will find that studying Judge Gorsuch's record will make for enjoyable reading.

On the Tenth Circuit Court of Appeals, Judge Gorsuch has authored a number of judicial opinions respecting the fundamental principles of religious liberty. His most notable was a concurring opinion in the Hobby Lobby case. In this landmark legal case interpreting the Religious Freedom Restoration Act, Judge Gorsuch ruled that the Federal Government cannot force individuals to assist in conduct that violates their deeply held religious convictions. I note that this law used to be noncontroversial. The Religious Freedom Restoration Act was introduced by Senators Ted Kennedy and then Congressman CHUCK SCHUMER. It was passed almost unanimously in 1993 and signed into law by President Bill Clinton.

In his concurrence, Judge Gorsuch wrote: "The [Religious Freedom Restoration Act] doesn't just apply to protect popular religious beliefs: it does perhaps its most important work in protecting unpopular religious beliefs, vindicating this nation's long-held aspiration to serve as a refuge of religious tolerance."

Religious tolerance—that is what our country stands for, and that is what Judge Gorsuch stands for. Judge Gorsuch's position was later vindicated by the Supreme Court. The Court agreed that it is the government's job to protect an individual's ability to practice their religion, not to instruct them on how to practice their religion.

In closing, let me reiterate that I believe Judge Gorsuch is a mainstream jurist who will uphold the Constitution to ensure justice for all, regardless of an individual's religious beliefs or which administration is in power. As someone who embraces religious freedom, it is a privilege to support and

confirm a judge like Neil Gorsuch, who respects this central constitutional principle. As I have said before, and I will say again, Judge Gorsuch deserves fair consideration by those who serve in this body, and he deserves an up-or-down vote on the Senate floor. He should be confirmed overwhelmingly, and I am confident he will be.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Ms. WARREN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

NOMINATION OF ANDREW PUZDER

Ms. WARREN. Mr. President, on December 8, Donald Trump nominated Andrew Puzder to serve as Secretary of Labor. He was scheduled to come before the HELP Committee tomorrow for his confirmation hearing. There is some reporting suggesting that he is having some second thoughts, and I sincerely hope that is true. The reasons Mr. Puzder is a terrible choice for this job are literally too numerous to cover fully, but I will at least give it a start.

If you work for a living, the Labor Secretary is very important to you. This person is responsible for protecting the interests of 150 million American workers. He will be the person responsible for enforcing the law that ensures that employers actually pay workers for every hour they work and setting the standards to prevent workplace injuries and even deaths.

Unfortunately, Mr. Puzder is not the kind of person the American people can trust to stand up for workers. Since 2000, Mr. Puzder has served as the CEO of the billion-dollar company CKE Restaurant Holdings. You may know it better as the parent company of Carl's Jr. and Hardee's. These two fast-food chains are known for paying very low wages to workers. Mr. Puzder has a long record of cheating workers out of overtime. He has paid out millions of dollars to settle claims when he was caught cheating. We are not talking about isolated incidents. They reflect the kind of business Mr. Puzder built. Mr. Puzder is a frequent political pundit and commentator who has vocally opposed higher minimum wages. He has also strongly opposed new overtime protections that would give 4 million workers an estimated \$1.5 billion raise in a single year.

Mr. Puzder also delights in expressing personal disdain for his workers. He bragged in his very first memo as CEO. He wrote that he wanted "no more people behind the counter unless they have their teeth." Ha, ha. He said he would like to replace his workers with robots because "they are always polite, they always upsell, they never take a vacation, there's never a slip-and-fall, or an age, sex or discrimination case."

The Senate has an obligation to hear from those who are best qualified to